

**United States Environmental Protection Agency
Region V
POLLUTION REPORT**

EPA Region 5 Records Ctr.



346923

Date: Wednesday, October 28, 2009
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Subject: Time-Critical Removal Action
General Industries
154 Olive Street, Elyria, OH
Latitude: 41.3722000
Longitude: -82.0856000

POLREP No.:	1	Site #:	B5QG
Reporting Period:	7/16/09 - 10/23/09	D.O. #:	
Start Date:	7/16/2009	Response Authority:	CERCLA
Mob Date:	10/12/2009	Response Type:	Time-Critical
Demob Date:		NPL Status:	Non NPL
Completion Date:		Incident Category:	Removal Action
CERCLIS ID #:		Contract #	68-S5-03-01
RCRIS ID #:			

Site Description

The General Industries Site is located at 154 Olive Street, Elyria, Lorain County, Ohio, 44035. The property is bordered by industrial and commercial businesses to the north, east, and west, and a residential community borders the Site to the south. The Site encompasses approximately 150,000 square feet and contained a series of interconnected buildings.

Various manufacturers and companies have used the Site for the production or storage of manufactured products since the 1920s. The last corporation to operate out of the facility was J-Tech Technologies, Inc. (J-Tech), a composite molding company for sinks, tubs, and other items. J-Tech utilized about 25% of the Site building. The owner of record of the Site property and Potentially Responsible Party (PRP) for the Site is B-Vest Properties, LLC (B-Vest), which was incorporated in Ohio on March 23, 2005, and is an active limited liability company. Mr. John N. Peshek owns 100% of the company. B-Vest took title to the Site on

April 15, 2005, by a general warranty deed filed on April 25, 2005.

On July 3, 2008, the Site buildings were heavily damaged by fire. Approximately 75% of the Site buildings collapsed due to the fire, and material from the fire was spread into the adjacent residential neighborhood. Following the fire, the City of Elyria requested the assistance of the Ohio Environmental Protection Agency (Ohio EPA) in conducting an assessment of the building debris piles at the Site. On July 17, 2008, the Ohio EPA reported that analytical results for samples collected from the building debris piles indicated the presence of asbestos-containing material (ACM). In September 2008, the Ohio EPA requested the assistance of the U.S. Environmental Protection Agency (U.S. EPA) in conducting a time-critical removal action at the Site, once it became evident that the Site property owner would be non-responsive.

On June 2, 2009, a meeting was held at the U.S. EPA's office in Westlake, Ohio to discuss the PRP's plans for conducting cleanup activities at the Site. The U.S. EPA, START, Ohio EPA, Ohio Department of Health (ODH), PRP, and PRP contractors were in attendance for the meeting. During the meeting, the U.S. EPA informed the PRP that a Unilateral Administrative Order (UAO) would be issued. The U.S. EPA informed the PRP that any cleanup activities conducted under the UAO would require a Site Health and Safety Plan (HASP), Quality Assurance Project Plan (QAPP), and Work Plan approved by the U.S. EPA.

On July 6, 2009, The Ohio EPA and Ohio Department of Health (ODH) authorized the PRP to perform asbestos abatement activities associated with an exposed pipe in the courtyard area of the Site. Ohio EPA's sampling results indicated that the insulation around the exposed pipe contained ACM.

Current Activities

From July 16 - 21, 2009, the PRP conducted limited asbestos abatement activities under the Ohio EPA and ODH oversight. On July 22, 2009, the PRP contractor ceased asbestos abatement activities although the work had not been completed.

On July 21, 2009, U.S. EPA issued a UAO to the PRP to perform asbestos contamination sampling, removal of asbestos-contaminated building debris, container sampling and characterization, and removal of containerized hazardous substances at the Site.

On July 30, 2009, the PRP conducted preliminary drum sampling at the Site. START received split samples of all drum samples collected by the PRP contractor and submitted the split samples to the U.S. EPA for archiving and possible laboratory analysis. PRP never provided U.S. EPA analytical results for the drum sampling.

On August 5, 2009, the PRP submitted the Site QAPP to the U.S. EPA. The Site QAPP was reviewed by the U.S. EPA, START, Ohio EPA, and ODH and ultimately disapproved by all.

On August 6, 2009, a meeting was held at the Site to discuss the PRP's Site QAPP. U.S. EPA, START, Ohio EPA, ODH, and PRP were in attendance. During the meeting, the U.S. EPA informed the PRP that the Site QAPP was inadequate, the U.S. EPA had not yet

received a Site HASP or Work Plan, and removal activities could not begin until these plans were approved. U.S. EPA also requested that the U.S. EPA be granted access to the Site to perform removal assessment activities. The PRP denied the request. OSC Augustyn informed PRP that U.S. EPA would be taking steps to refer the site to Federal Court to obtain an access warrant to perform a fund-lead removal action. The PRP gave limited access to U.S. EPA to perform the site assessment.

On August 27, 2009, the U.S. EPA met with its Emergency and Rapid Response Services (ERRS) and Superfund Technical Assessment and Response Team (START) contractors at the Site to perform a walk through and discuss the possible transition of the Site from a PRP removal action to a fund-lead removal action.

On September 3, 2009, a scoping meeting was held at the Site with U.S. EPA, START, ERRS, and several potential asbestos survey contractors to discuss conducting an comprehensive asbestos survey of the Site.

From September 10, 2009 to September 16, 2009, U.S. EPA mobilized its ERRS and START contractors to the Site to conduct an asbestos survey and container sampling. A total of 225 bulk samples were collected and submitted for asbestos analysis. Based on the analytical results and the locations of the bulk samples that tested positive for asbestos, the asbestos survey indicated that ACM is present throughout all of the designated buildings and areas on the Site.

The PRP was unable to meet the requirements of the UAO and on October 8, 2009, granted U.S. EPA access to perform time-critical removal activities at the Site.

October 12, 2009, U.S. EPA mobilized its ERRS and START contractors to the site. Removal action will include the following activities: segregating, decontaminating, and loading scrap steel for disposal at a local recycling facility; segregating and loading asbestos-contaminated building debris for disposal at a U.S. EPA-approved disposal facility; properly identifying, consolidating, packaging, and removing containerized hazardous substances for disposal at a U.S. EPA-approved disposal facility.

Activities performed by ERRS from October 12 - 16, 2009 included; mobilization of personnel and equipment, established and demarcated a hot zone, constructed a personnel decontamination area, cleaned the asphalt pavement west of the project trailers, and began the decontamination and removal of steel from within the asbestos-containing waste material (ACWM) debris piles. The steel was removed, decontaminated in-place, and loaded for transportation to a recycling facility.

Activities performed by ERRS from October 19 - 23, 2009 included; continued the removal of steel from within the debris piles, relocation and consolidation of ACWM in preparation of "live loading" of trucks, identifying and protecting utility's discovered within the Site, create road access for asbestos trucks, and the removal of floating oil layer in the 40,000 gallon vault.

Activities performed by START from October 14 - 23, 2009 included: written and photographic documentation of Site activities and conditions; the collection of background perimeter air samples, the collection of background perimeter dust monitoring, the collection of GPS coordinates of the perimeter air sampling/dust monitoring locations, the collection of perimeter air samples for asbestos analysis, and the collection of perimeter dust monitoring.

Planned Removal Actions

ERRS will continue the removal, decontamination and recycling of scrap steel within the ACWM debris piles. ERRS will also continue relocating and segregating the ACWM in preparation for the “live loading” of trucks.

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
ERRS - Cleanup Contractor	\$600,000.00	\$70,730.00	\$529,270.00	88.21%
TAT/START	\$75,000.00	\$32,604.00	\$75,000.00	56.53%
Intramural Costs				
Total Site Costs	\$675,000.00	\$103,334.00	\$571,666.00	84.69%

* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

Disposition of Wastes

Thirty-five (35) trucks loads, approximately 324 tons, of scrap steel has been transported to Bluestar Metal Recycling Company for recycling.

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